

Serial No. 10/822,081

2

Applicant: Woojin Lee

All claims in the application remain as previously submitted in the Response of March 16, 2006. Accordingly, these claims, cancellations and amendments are not further set forth herein.

Regarding claims 1-31, all of these claims have either been canceled, placed in allowable condition based upon an indication of allowable subject matter by the Examiner or arguments have been submitted regarding some of these claims. From the recent Patent Office Letter of May 24, 2006 it appears that the Examiner has indicated that details are lacking regarding several of the "new" independent claims.

Claims 32-41 are believed to be allowable for substantially the same reasons that claims 5-7 were indicated as containing allowable subject matter by the Examiner in the Office Action of December 20, 2005. The independent claim 32 contains virtually all of the same limitations as claim 5 except that it defines the bending stiffness of the movable members as being "different." The Applicant has made a consideration of the prior art applied by the Examiner and this prior art does not disclose, inter alia, that both of the moveable members comprise a bendable motion member; each bendable motion member provides at least one degree of freedom and the bending stiffness of the second moveable member is different from the bending stiffness of the first moveable member. These patentably distinguishing features are set forth in the last paragraph of claim 32.

The Applicant has also added claims 58-66 which are believed to be allowable for the same reason that claim 30 was indicated as containing allowable subject matter by the Examiner. Original claim 13 contained the limitation "further including another proximal moveable member and another distal moveable member for multi-modal controlled movement of the tool." This same patentably distinguishing language also appears in the last paragraph of new claim 58. None of the prior art applied by the Examiner discloses this multi-modal controlled movement of the tool. Moreover, reference is made to the related PCT application and the Written Opinion therein where the Examiner clearly stated that the prior art does not suggest this "multi-modal tool movement." Accordingly, claim 58 and its related dependent claims 59-66 should all be found patentably distinguishing over the applied prior art.

The Applicant has also added new claims 75-82 which are believed to be allowable for the same reason that claim 14 was indicated as containing allowable subject matter by the Examiner.

Serial No. 10/822,081

3

Applicant: Woojin Lee

The independent claim 75 contains substantive limitations as found in amended claim 14. Original claim 14 had been indicated as containing allowable subject matter by the Examiner. This subject matter related to "the second moveable member being able to axially rotate about the control handle." This same patentably distinguishing language is also found in the last paragraph of claim 75. None of the prior art applied by the Examiner teach the proximal moveable member being able to actually rotate relative to the control handle. Accordingly, claim 75 and its related dependent claims 76-82 should be found patentably distinguishing and thus in condition for allowance.

The Applicant has also added new claims 182-186. The subject matter of claim 182 is believed to be patentably distinguishing over prior art that the Examiner has referenced. None of the patents show this combination which includes a linear actuator. Also, dependent claims 183-186 should be found allowable. Moreover, reference is made to the related PCT application and the Written Opinion therein in which the Examiner has referred to the prior art not teaching or suggesting "the linear actuator." None of the prior art applied by the Examiner shows the "linear actuator" in the combination as claimed in claim 182.

The Applicant has also submitted a last independent claim, namely claim 187. The subject matter of claim 187 is believed to be patentably distinguishing over the applied prior art. This claim recites subject matter similar to that found in allowed claim 27 and should thus be found patentably distinguishing. Dependent claims 188-191 should also be found in condition for allowance. Allowed claim 27 included the feature, inter alia, of the proximal bendable member having a diameter that is different than the diameter of the distal bendable member. The applied prior art does not show this claim limitation. In claim 187 this limitation is set forth in a slightly different manner than in allowed claim 27 in that the proximal bendable member is defined as having a maximum transverse cross-sectional dimension that is different than that of the distal bendable member. However, this language in the last paragraph of claim 187 should also be deemed as patentably distinguishing over the applied prior art.

Serial No. 10/822,081

4

Applicant: Woojin Lee


CONCLUSION

In view of the foregoing amendments and remarks, the Applicants respectfully submit that all of the claims pending in the above-identified application are in condition for allowance, and a notice to that effect is earnestly solicited.

If the present application is found by the Examiner not to be in condition for allowance, then the Applicants hereby request a telephone or personal interview to facilitate the resolution of any remaining matters. Applicants' attorney may be contacted by telephone at the number indicated below to schedule such an interview.

Respectfully submitted,
Woojin Lee, Applicant

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